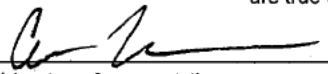


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 29-CA-270334	Date Filed 12/16/2020

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer OTG Management, LLC, and/or LaGuardia USA, LLC, and/or LGA Airport Restaurants L.P. at LaGuardia Airport, and/or LaGuardia USA, LLC at LaGuardia Airport, and/or LaGuardia Airport Restaurant, L.P., as single and/or joint employers.	b. Tel. No. (215) 997-0668
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 352 Park Avenue South 10th Floor New York, NY 10010	e. Employer Representative Joshua Bernstein, Esq., Associate General Counsel
	g. e-mail jbernstein@otgexp.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Airport Concessionaire	j. Identify principal product or service Food Service
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) and 8(d) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within a period in the past six months, the above-named Employer has failed and refused to bargain in good faith with the representative of its employees over mandatory subjects of bargaining, including but not limited to unilaterally implementing mandatory tip pooling and unilaterally implementing a new customer payment mechanism that reduced the employees' default tip amount.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) UNITE HERE Local 100	
4a. Address (Street and number, city, state, and ZIP code) 275 Seventh Avenue, 16th Floor New York, NY 10001	4b. Tel. No. (212) 541-4226
	4c. Cell No.
	4d. Fax No.
	4e. e-mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) UNITE HERE	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 (signature of representative or person making charge)	Andrew D. Midgen, Esq. (Print/type name and title or office, if any)
Pitta LLP, 120 Broadway, 28th Floor, New York, NY Address 10271	Tel. No. (212) 652-3829
	Office, if any, Cell No.
	Fax No.
	e-mail amidgen@pittalaw.com
Date December 16, 2020	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579



Download
NLRB
Mobile App

December 17, 2020

UNITE HERE Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

Re: OTG Management, LLC, and/or LaGuardia
USA, LLC, and/or LGA Airport Restaurants
L.P. at (215) 997-0668 LaGuardia Airport,
and/or LaGuardia USA, LLC at LaGuardia
Airport, and/or LaGuardia Airport
Restaurant, L.P, as single and/or joint
employers.
Case 29-CA-270334

Dear Sir or Madam:

The charge that you filed in this case on December 16, 2020 has been docketed as case number 29-CA-270334. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ANNIE HSU whose telephone number is (718)765-6199. If this Board agent is not available, you may contact Supervisory Field Examiner KATE ANDERSON whose telephone number is (718)765-6181.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession.

Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason

OTG Management, LLC, and/or LaGuardia
USA, LLC, and/or LGA Airport Restaurants
L.P. at (215) 997-0668 LaGuardia Airport,
and/or LaGuardia USA, LLC at LaGuardia
Airport, and/or LaGuardia Airport
Restaurant, L.P, as single and/or joint
employers.
Case 29-CA-270334

December 17, 2020

you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", with a stylized, cursive script.

KATHY DREW-KING
Regional Director

cc: Andrew D. Midgen, ESQ.
PITTA LLP
120 Broadway, 28th Floor
New York, NY 10271



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlr.gov
Telephone: (718)330-7713
Fax: (718)330-7579



Download
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Mobile App

December 17, 2020

Joshua Bernstein, Associate General Counsel
OTG Management, LLC, and/or LaGuardia USA, LLC, and/or LGA Airport Restaurants L.P. at
LaGuardia Airport, and/or LaGuardia USA, LLC at LaGuardia Airport, and/or LaGuardia
Airport Restaurant, L.P. as single and/or joint employers.
352 Park Avenue South
10th Floor
New York, NY 10010

Re: OTG Management, LLC, and/or LaGuardia
USA, LLC, and/or LGA Airport Restaurants
L.P. at (215) 997-0668 LaGuardia Airport,
and/or LaGuardia USA, LLC at LaGuardia
Airport, and/or LaGuardia Airport
Restaurant, L.P. as single and/or joint
employers.
Case 29-CA-270334

Dear Mr. Bernstein:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

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Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

OTG Management, LLC, and/or LaGuardia
USA, LLC, and/or LGA Airport Restaurants
L.P. at (215) 997-0668 LaGuardia Airport,
and/or LaGuardia USA, LLC at LaGuardia
Airport, and/or LaGuardia Airport
Restaurant, L.P, as single and/or joint
employers.
Case 29-CA-270334

December 17, 2020

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King". The signature is fluid and cursive, with the first name "Kathy" being more prominent.

KATHY DREW-KING
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**OTG MANAGEMENT, LLC, AND/OR
LAGUARDIA USA, LLC, AND/OR LGA
AIRPORT RESTAURANTS L.P. AT (215) 997-
0668 LAGUARDIA AIRPORT, AND/OR
LAGUARDIA USA, LLC AT LAGUARDIA
AIRPORT, AND/OR LAGUARDIA AIRPORT
RESTAURANT, L.P, AS SINGLE AND/OR
JOINT EMPLOYERS.**

Case 29-CA-270334

Charged Party

and

UNITE HERE LOCAL 100

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 17, 2020, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Joshua Bernstein, Associate General Counsel
OTG Management, LLC, and/or LaGuardia
USA, LLC, and/or LGA Airport Restaurants
L.P. at LaGuardia Airport, and/or LaGuardia
USA, LLC at LaGuardia Airport, and/or
LaGuardia Airport Restaurant, L.P, as single
and/or joint employers.
352 Park Avenue South
10th Floor
New York, NY 10010

December 17, 2020

Date

Linette Gayle, Designated Agent of NLRB

Name

Linette Gayle

Signature

From: [Bogaty, Ian B. \(Long Island\)](#)
To: [Hsu, Annie](#)
Subject: 29-CA-270334
Date: Wednesday, January 20, 2021 9:53:50 PM

Good evening Annie. I hope you are well. We were just retained by OTG Management regarding the above-referenced charge. I will be investigating what happened here and will be in touch shortly.
Thanks

Ian B. Bogaty

Attorney at Law

Jackson Lewis P.C.

58 South Service Road

Suite 250

Melville, NY 11747

Direct: (631) 247-4615 | Main: (631) 247-0404

Ian.Bogaty@jacksonlewis.com | www.jacksonlewis.com

[Visit our resource page](#) for information and guidance on COVID-19's workplace implications

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**1st Amended Charge**

DO NOT WRITE IN THIS SPACE

Case

29-CA-270334

Date Filed

2/23/2021

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer OTG Management, LLC and LaGuardia USA, LLC, as a single employer.		b. Tel. No. (215) 997-0668
		c. Cell No.
		f. Fax. No.
d. Address (Street, city, state, and ZIP code) 352 Park Avenue South 10th Floor New York, NY 10010	e. Employer Representative Joshua Bernstein, Esq., Associate General Counsel	g. e-mail jbernstein@otgexp.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Airport Concessionaire	j. Identify principal product or service Food Service	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within a period in the past six months, the above-named Employer has failed and refused to bargain in good faith with the representative of its employees over mandatory subjects of bargaining, including but not limited to unilaterally implementing mandatory tip pooling and unilaterally implementing a new customer payment mechanism that reduced the employees' default tip amount.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

UNITE HERE Local 100

4a. Address (Street and number, city, state, and ZIP code) 275 Seventh Avenue, 16th Floor New York, NY 10001	4b. Tel. No. (212) 541-4226
	4c. Cell No.
	4d. Fax No.
	4e. e-mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

UNITE HERE

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Andrew D. Midgen, Esq.

(Print/type name and title or office, if any)

Pitta LLP, 120 Broadway, 28th Flr, New York, NY 10271
Address _____ Date February 23, 2021

Tel. No. (212)652-3829
Office, if any, Cell No.
Fax No.
e-mail amidgen@pittalaw.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

**OTG MANAGEMENT, LLC AND LAGUARDIA
USA, LLC, AS A SINGLE EMPLOYER.**

and

Case 29-CA-270334

UNITE HERE LOCAL 100

AFFIDAVIT OF SERVICE OF FIRST AMENDED CA CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on February 24, 2021, I Eleanora Izzo served the above-entitled document(s) by **regular mail** upon the following persons, addressed to them at the following addresses:

LAGUARDIA USA, LLC
ATTN: OTG MANAGEMENT
1501 LOWER STATE ROAD., STE 102
NORTH WALES, PA 19454

UNITE HERE Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

February 24, 2021

Date

Eleanora Izzo, Designated Agent of NLRB
Name

Eleanora Izzo

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579



Download
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Mobile App

February 24, 2021

LAGUARDIA USA, LLC ATTN: OTG MANAGEMENT
1501 Lower State Road., Ste 102
North Wales, PA 19454

Joshua Bernstein, Associate General Counsel
OTG Management, LLC and LaGuardia USA, LLC, as a single employer.
352 Park Avenue South
10th Floor
New York, NY 10010

Re: OTG Management, LLC and LaGuardia
USA, LLC, as a single employer.
Case 29-CA-270334

Dear Mr. Bernstein:

Enclosed is a copy of the first amended charge that has been filed in this case.

Investigator: This charge is being investigated by Field Attorney ANNIE HSU whose telephone number is (718)765-6199. If the agent is not available, you may contact Supervisory Field Examiner KATE ANDERSON whose telephone number is (718)765-6181.

Presentation of Your Evidence: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

February 24, 2021

Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlr.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", written in a cursive style.

KATHY DREW-KING
Regional Director

Enclosure: Copy of first amended charge

cc: Ian B. Bogaty, ESQ.
Jackson Lewis P.C.
58 Service Road
Suite 250
Melville, NY 11747

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**OTG MANAGEMENT, LLC AND LAGUARDIA
USA, LLC, AS A SINGLE EMPLOYER.**

Charged Party

and

UNITE HERE LOCAL 100

Charging Party

Case 29-CA-270334

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on February 24, 2021, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Ian B. Bogaty, ESQ.
Jackson Lewis P.C.
58 Service Road
Suite 250
Melville, NY 11747

Joshua Bernstein, Associate General Counsel
OTG Management, LLC and LaGuardia
USA, LLC, as a single employer.
352 Park Avenue South
10th Floor
New York, NY 10010

Laguardia Usa,LLC Attn: OTG Management
1501 Lower State Road., Ste 102
North Wales, PA 19454

February 24, 2021

Date

Linette Gayle, Designated Agent of NLRB

Name

Linette Gayle

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579



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Mobile App

February 24, 2021

UNITE HERE Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

Re: OTG Management, LLC and LaGuardia
USA, LLC, as a single employer.
Case 29-CA-270334

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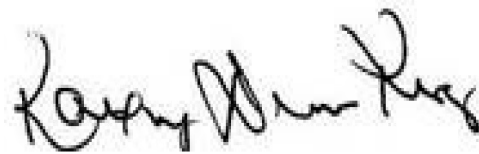
Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a

February 24, 2021

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathy Drew-King", written in a cursive style.

KATHY DREW-KING
Regional Director

cc: Andrew D. Midgen, ESQ.
PITTA LLP
120 Broadway, 28th Floor
New York, NY 10271



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 29
Two MetroTech Center
Suite 5100
Brooklyn, NY 11201-3838

Agency Website: www.nlrb.gov
Telephone: (718)330-7713
Fax: (718)330-7579

February 25, 2021

Andrew D. Midgen, Esq.
PITTA LLP
120 Broadway, 28th Floor
New York, NY 10271

Re: OTG Management, LLC and LaGuardia
USA, LLC, a Single Employer
Case 29-CA-270334

Dear Mr. Midgen:

We have carefully investigated and considered your charge that OTG Management, LLC, and LaGuardia USA, LLC (together, Employer), as a single employer, has violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on that investigation, I have decided to dismiss the allegation that in the past six months, the Employer has failed and refused to bargain in good faith with the representative of its employees over mandatory subjects of bargaining by unilaterally implementing a new customer payment mechanism that reduced the employees' default tip amount, in violation of Section 8(a)(5) of the Act.

I have decided to dismiss this allegation because I did not find the Employer's change in its customer payment mechanism to be a mandatory subject of bargaining. Rather, I found that the change in software was aimed at providing a safer means for customers to order during the COVID-19 pandemic, rather than at employees' terms and conditions of employment. Although the preponderance of the evidence showed that employees' tips decreased around the time of the change, I found that there were many other reasons that could have contributed to that decrease, including the decrease of travelers during the pandemic, as well as the decrease of travelers who are willing to eat from and at a restaurant. Furthermore, upon being informed that this change might be impacting employees' tips, the Employer promptly changed the default tip amount to what it had been under the prior software.

The remaining allegation that in the past six months, the Employer has failed and refused to bargain in good faith with the representative of its employees over mandatory subjects of bargaining by unilaterally implementing mandatory tip pooling, remains subject to further processing.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlrb.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlrb.gov. If you require additional assistance with E-Filing, please contact e-filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.


The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **March 11, 2021**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than March 10, 2021. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before March 11, 2021**. The request may be filed electronically through the **E-File Documents** link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after March 11, 2021, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



KATHY DREW-KING
Regional Director

Enclosure

cc: Ian B. Bogaty, Esq.
Jackson Lewis P.C.
58 Service Road
Suite 250
Melville, NY 11747

LAGUARDIA USA, LLC ATTN: OTG
MANAGEMENT
1501 LOWER STATE ROAD., STE 102
NORTH WALES, PA 19454

Unite Here Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

Joshua Bernstein, Associate General
Counsel
OTG Management, LLC and LaGuardia
USA, LLC, as a Single Employer
352 Park Avenue South
10th Floor
New York, NY 10010

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

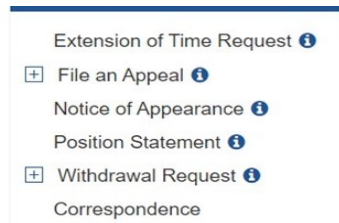
Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)

E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

**OTG MANAGEMENT, LLC AND LAGUARDIA
USA, LLC, as a Single Employer**

and

Case No. 29-CA-270334

UNITE HERE LOCAL 100

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by UNITE HERE Local 100 (Charging Party). It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (Board) and alleges that OTG Management, LLC (Respondent OTG) and LaGuardia USA, LLC (Respondent LaGuardia), a Single Employer (together, Respondent), have violated the Act as described below.

1. (a) The initial charge in this proceeding was filed by the Charging Party on December 16, 2020, and a copy was served on Respondent by U.S. mail on December 17, 2020.

(b) The first amended charge in this proceeding was filed by the Charging Party on February 23, 2021, and a copy was served on Respondent by U.S. mail on February 24, 2021.

2. At all material times, Respondent OTG has been a limited liability company with an office and place of business at LaGuardia Airport, Queens, New York (Respondent's Queens facility), and has been engaged in the retail sale of food and beverage and related products.

3. During the past year, which period is representative of its annual operations generally, Respondent OTG, in the course and conduct of its business operations described above in paragraph 2:

(a) derived annual gross revenue in excess of \$500,000; and

(b) purchased and received at its Queens facility supplies valued in excess of \$5,000 directly from suppliers located outside the State of New York.

4. At all material times, Respondent OTG has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

5. At all material times, Respondent LaGuardia has been a limited liability company with an office and place of business at LaGuardia Airport, Queens, New York, and has been engaged in the retail sale of food and beverages and related products.

6. During the past year, which period is representative of its annual operations generally, Respondent LaGuardia, in the course and conduct of its business operations described above in paragraph 5:

(c) derived annual gross revenue in excess of \$500,000; and

(d) purchased and received at its Queens facility supplies valued in excess of \$5,000 directly from suppliers located outside the State of New York.

7. At all material times, Respondent LaGuardia has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

8. (a) At all material times, Respondent OTG and Respondent LaGuardia have been affiliated business enterprises with common officers, ownership, directors, management and supervision; have formulated and administered a common labor policy; have shared common premises and facilities; have provided services for each other; have interchanged personnel with each other; have interrelated operations; and/or common insurance, purchasing and/or sales and have held themselves out to the public as a single-integrated business enterprise.

(b) Based on its business operations described above in paragraph 8(a), Respondent OTG and Respondent LaGuardia constitute a single, integrated business enterprise and a single employer within the meaning of the Act.

9. At all material times, the Charging Party has been a labor organization within the meaning of Section 2(5) of the Act.

10. The following employees of Respondent (Unit) constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All Baristas, Cooks 1, 2 and 3, Food Preparation Employees, Cashiers, Hosts/Hostesses, Bar Employees, Servers, Commissary-Runners and Utility and Lead employees employed at Terminal D in LaGuardia Airport, excluding all others such as managers, clerical, supervisory and professional employees and guards, as defined in the Act.

11. At all material times, Respondent has recognized the Charging Party as the exclusive collective bargaining representative of the Unit for purposes of collective bargaining with respect to wages, hours and other terms and conditions of employment, which recognition

has been embodied in successive collective bargaining agreements the most recent of which was effective by its term from about November 19, 2011 to November 19, 2018.

12. At all material times, based on Section 9(a) of the Act, the Charging Party has been the exclusive collective-bargaining representative of the Unit.

13. (a) In about July 2020, Respondent implemented a tip pooling compensation system for employees employed by Respondent in the Unit.

(b) The subject set forth above in paragraph 13(a) relates to wages, hours, and other terms and conditions of employment of the Unit and is a mandatory subject for the purposes of collective bargaining.

(c) Respondent engaged in the conduct described above in paragraph 13(a) without prior notice to the Charging Party and without affording the Charging Party an opportunity to bargain with Respondent and without reaching agreement with the Charging Party or bargaining to a valid impasse.

14. By the conduct described above in paragraphs 13(a) and (c), Respondent has been failing and refusing to bargain collectively and in good faith with the Charging Party as the exclusive collective-bargaining representative of the Unit, and thereby has been engaging in unfair labor practices within the meaning of Section 8(a)(1) and (5) of the Act.

15. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an Answer to the Complaint. The Answer must be **received by this office on or before April 2, 2021.** Respondent also must serve a copy of the answer on each of the other parties.

The Answer must be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time)

on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the Answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The Answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the Complaint are true.

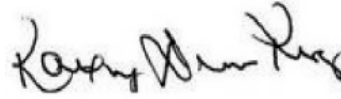
Any request for an extension of time to file an answer must, pursuant to Section 102.111(b) of the Board's Rules and Regulations, be received by close of business on **April 2, 2021**. The request should be in writing and addressed to the Regional Director of Region 29.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on May 18, 2021, at 9:30AM, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board by videoconference, or in a manner and at a location otherwise ordered by the Administrative Law Judge. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this Complaint. The procedures to be followed at the hearing are described in the attached

Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: March 19, 2021

A handwritten signature in black ink, appearing to read "Kathy Drew-King", is positioned above a horizontal line.

KATHY DREW-KING
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 29
Two MetroTech Center, Suite 5100
Brooklyn, NY 11201-3838

Attachments

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 29-CA-270334

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Ian B. Bogaty , ESQ.
Jackson Lewis P.C.
58 Service Road
Suite 250
Melville, NY 11747

LAGUARDIA USA,LLC ATTN: OTG
MANAGEMENT
1501 LOWER STATE ROAD., STE 102
NORTH WALES, PA 19454

Andrew D. Midgen , ESQ.
PITTA LLP
120 Broadway, 28th Floor
New York, NY 10271

UNITE HERE Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

Joshua Bernstein , Associate General Counsel
OTG Management, LLC and LaGuardia
USA, LLC, as a single employer.
352 Park Avenue South
10th Floor
New York, NY 10010

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

**OTG MANAGEMENT, LLC AND LAGUARDIA
USA, LLC, AS A SINGLE EMPLOYER.**

and

Case 29-CA-270334

UNITE HERE LOCAL 100

AFFIDAVIT OF SERVICE OF: Complaint and Notice of Hearing (with forms NLRB-4338 and NLRB-4668 attached)

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **March 19, 2021**, I served the above-entitled document(s) by **e-issuance and regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

Ian B. Bogaty , Esq.
Jackson Lewis P.C.
58 Service Road
Suite 250
Melville, NY 11747
Email: ian.bogaty@jacksonlewis.com

LAGUARDIA USA,LLC ATTN: OTG
MANAGEMENT
1501 Lower State Road., STE 102
North Wales, PA 19454

Joshua Bernstein, Associate General Counsel
OTG Management, LLC and LaGuardia
USA, LLC, as a single employer.
352 Park Avenue South
10th Floor
New York, NY 10010
Email: jbernstein@otgexp.com

Andrew D. Midgen, Esq.
PITTA LLP
120 Broadway, 28th Floor
New York, NY 10271
Email: amidgen@pittalaw.com

UNITE HERE Local 100
275 Seventh Avenue
16th Floor
New York, NY 10001

March 19, 2021

Sharon Marfan, Designated Agent of
NLRB

Date

Name

/s/ Sharon Marfan

Signature